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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/439,130	11/12/1999	AKIRA SAKAGUCHI	JA9-98-217	1265

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EXAMINER

BURGESS, BARBARA N

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/439,130	Applicant(s) SAKAGUCHI, AKIRA	
	Examiner Barbara N. Burgess	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5,7,8 and 12-24 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5,7,8 and 12-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to Appeal Brief filed August 9, 2005. Examiner has withdrawn the finality of claims 1, 5, 7-8, 12-24 and re-opens the case for further prosecution. These claims are now presented for further examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 5, 7-8, and 12-15, 17-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Salesky et al. (hereinafter "Salesky", 6,343,313 B1).

As per claims 1, 5, 7-8, Salesky discloses a method, client terminal, communication system, and a storage medium storing software product for communicating on a communication system having a client terminal connecting a server through a network and collaborating with other client terminals connected to said network, said method, client terminal, communication system, and a storage medium storing software product comprising the steps of:

Art Unit: 2157

- Generating an image file in response to an operator of said client terminal specifying a screen range of said client terminal, wherein the image file is generated based on image data from the specified screen range (column 10, lines 46-67, column 11, lines 1-18);
- Acquiring an image file name from said server (column 2, lines 5-8, 39-44, column 8, lines 35-43; Salesky teaches obtaining the captured region selected by the presenter from the server through a URL. Therefore, the image file name is specified by the URL from the server through which the image can be viewed);
- Converting said image file to generate a predetermined formed compressed image data which has a file name relating to said image file name (column 2, lines 33-34, column 7, lines 45-50, column 11, lines 46-47, 60-67);
- Sending said predetermined formed compressed image data to said server (column 2, lines 29-34, column 7, lines 24-27);
- Posting the file name of said predetermined formed compressed image data to the client terminals collaborating with said client terminal (column 2, lines 39-45, column 8, lines 35-43).

As per claims 12, 17, and 20, Salesky discloses the method, client terminal, and storage medium of claims 1, 5, and 8, wherein the operator specifies a screen range of said client terminal by manipulating a mouse to define a frame, wherein the frame encloses the screen range (column 10, lines 46-65).

As per claims 13, 18, and 21, Salesky discloses the method, client terminal, and storage medium of claims 1, 5, and 8, wherein the operator specifying a screen range of said client terminal by selecting an application window, wherein a frame of the application window defines the screen range (column 7, lines 35-45).

As per claims 14, 19, and 22, Salesky discloses the method, client terminal, and storage medium of claims 1, 5, and 8 further comprising acquiring a device context of a desktop window and generating a desktop window image corresponding to the device context of the desktop window, wherein the screen range is a portion of the desktop window (column 7, lines 35-40).

As per claims 15 and 23, Salesky discloses the method and storage medium of claims 1 and 8 wherein the operator of said client terminal specifies the screen range during a capture mode (column 10, lines 46-60).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2157

4. Claims 16 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salesky et al. (hereinafter "Salesky", 6,343,313 B1) in view of Griffin et al. (hereinafter "Griffin", US Patent 5,307,086).

Salesky discloses the method and storage medium of claims 15 and 23.

Salesky does not explicitly disclose wherein said software product further comprising directing said client terminal to suspend the capture mode, receive input from the operator to activate a hidden window, and resume the capture mode.

However, in an analogous art, Griffin discloses a preview window normally hidden in the sense that it is displayed only temporarily in response to a specific user input. The system waits for further inputs from the user. The mouse messages are captured for the sake of stability (column 4, lines 55-67, column 5, lines 1-31).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Griffin's suspend the capture mode, receive input from the operator to activate a hidden window, and resume the capture mode in Salesky's method for the sake of stability so that the system does not jump around gathering and then displaying underlying data.

Response to Arguments

5. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 6,085,195

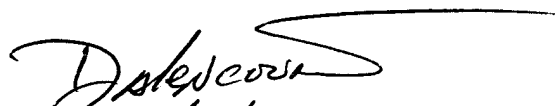
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Ettinene can be reached on (571) 272-4001. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Barbara N Burgess
Examiner
Art Unit 2157

October 31, 2005


10/31/05